

OBSERVATIONS

ON THE

PRELIMINARY

AND

PROVISIONAL ARTICLES,

ATTEMPTING TO PROVE

From a comparative View of the Situation of this Country now, and at the Close of the late War, that they are equally, if not more beneficial to the true Interest of this Country than the Terms procured by the Treaty of Paris in 1763.

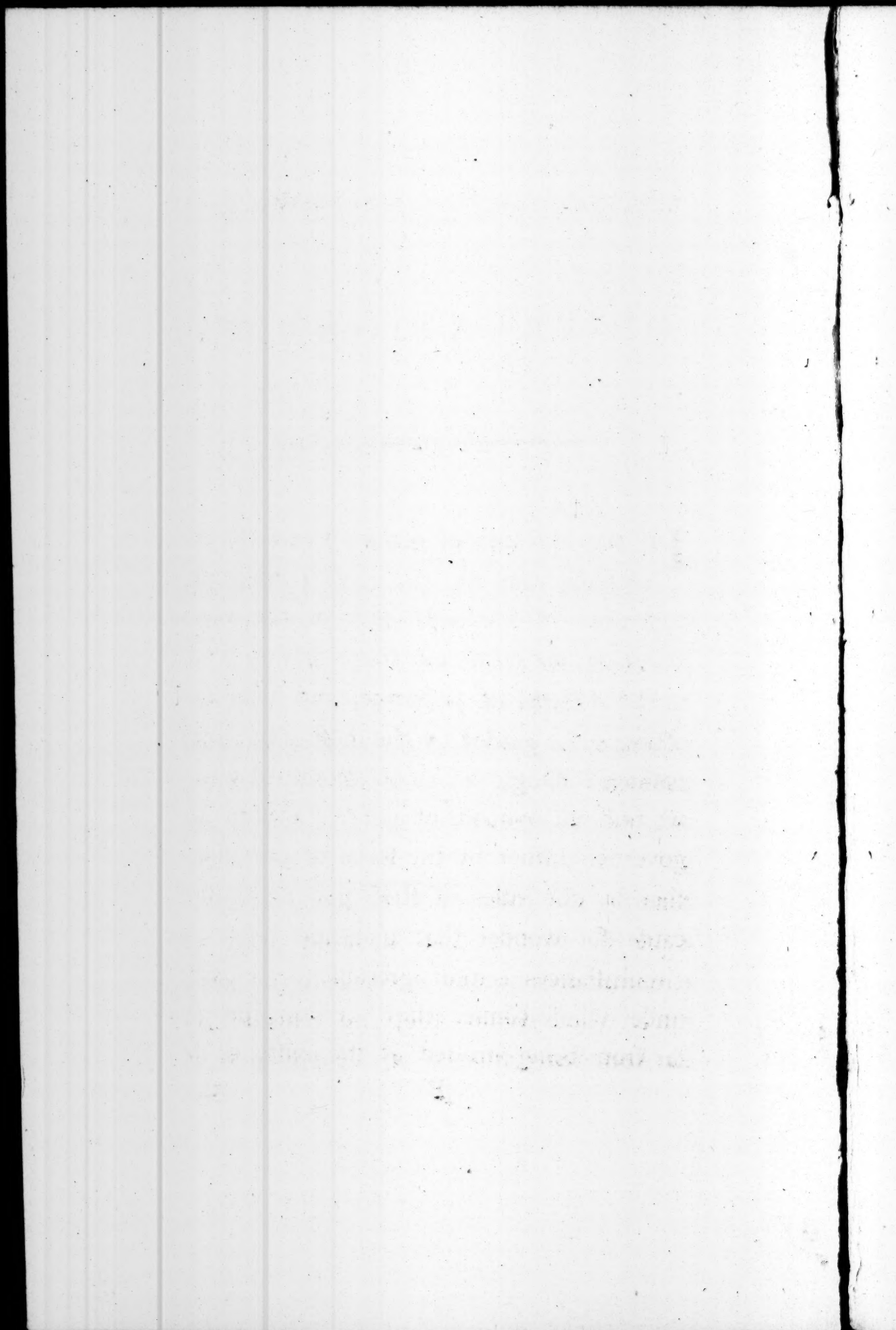
Nil tam popolare quam Pacem reperiemus.

CIC.

L O N D O N :

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MDCCLXXXIII.



OBSERVATIONS, &c.

IF the opinions of mankind vary so essentially even on the most trifling occurrences of life?—If deaf to the voice of reason, we refuse too frequently to listen to the dictates of prudence, and suffer our actions to be guided by the most unbounded passions? Ought we to be astonished when we find our opinions of political events are governed rather by the force of prejudice, than by the rules of strict policy? Is it a cause for wonder that mankind judge of circumstances as most agreeable to the party under whose banner they are ranged? So far from being amazed at the existence of

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this fway on our opinions, I am rather af-tonifhed any fhould remain untainted by the violence of the contagion; fuch, however, there are; and to fuch I addrefs thefe Observations.

When fociety firft commenced, mankind vefted the execution of power in the hands of one.—Different focieties, having chofe different fuperiors, feparate interefts immediately commenced;—laws, though enacted for the general good, could not bind collective bodies; and having no vifible tribunal, which poffeffed the power of conftraining obedience to its decrees, focieties appealed to the fword, and the events of war determined the juftice of their caufe.

Before ftanding armies were introduced into Europe, war, though carried on with unbounded violence, and attended with horrid cruelties, feldom exceeded the bounds of a campaign; peace was the object of
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their hopes, and they presumed the terror of war would hasten the event.—But now, when such vast improvements in the art of war are discovered, we find it, although unattended by aggravated horror, lengthened through several campaigns : but still peace (if any thing is) must be the object, the contending parties have in view. How attentive then ought the different powers to be, to improve every opportunity of attaining this desirable end ; when the attainment will, with a comparison of the events of the war, add honour to the country engaged. How far the present Preliminaries for Peace, compared with those events and past treaties, are honourable to this country, shall be the object of the following enquiries.

The Crusades, which introduced mankind to a nearer acquaintance with each other, the invention of the mariner's compass, and the accounts travellers gave of
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the superiority of foreign countries, were causes which led to the revival of commerce, and prompted the Spaniards to bold attempts in navigation. Those attempts were crowned with the discovery of America, and some time after England settled her colonies. These she uninterruptedly possessed, until the unfortunate repeal of the Stamp Act. This acknowledgment of our incapacity to enforce our laws, and the pretensions of America to tax herself, which met with an ill-timed opposition, were among the first causes of the unhappy dissensions which at last tore from the Mother Country those extensive tracts of land which constitute the Continent of America.—Several unexpected advantages gained in the course of the war by the Americans, assisted by the Courts of Madrid and Versailles, drew on us unlooked-for misfortunes; for, during not one campaign, did we receive any hopes that could flatter us with an honourable issue. Even the year
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1782, when success first dawned on our arms, we find those actions in the East and West Indies, which will dignify the page of future history, unattended by any signal advantage.—They were more splendid than useful; and at the close of the year, our enemies were straining every nerve, and exerting their whole power, to command and insure success.

Our navy, though formidable, more so perhaps than at any other period, was far inferior to the combined fleets of our enemies: they rode masters of the sea, and, unable to stop the torrent of misfortunes, we wisely kept within our own ports.

This, to a nation jealous of her honour, and accustomed to conquest, was particularly humiliating. Our pride hurt, we met dissatisfaction in the streets, and every unprejudiced individual called for peace. Any, said the people, even the worst peace, ought
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to be preferred to this destructive war. Such was the language of parliament ; and Ministers, anxious to obey the sense of a nation, composed of brave and free people, made offers of peace to the enemy. But their clamours for peace convinced them of our weakness ; it emboldened them in their demands ; they knew what to ask, and the most able negociator was unable to dissemble our wishes. If then the Peace even is not so good as we might have wished for, had the war been more successful, Ministers are not to blame. Those Articles respecting America, disgraceful as they are to this country, were first granted by Parliament ; they resolved the war should not be carried on any longer.—And did not that resolve virtually acknowledge the Independence of America ? If this is allowed, Ministers are not accountable for this dismemberment of the British empire. America knew we must (from this resolve) comply with her demands ; and, happy
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ought we to be, that *those* demands were not more extensive.

If the boundaries to the North damages the free trade carried on by the Quebec merchants, what reason is this that we should prefer the interest of a trading Company to the national good *? Where is the boundary that will not in a greater or less degree affect some trade carried on by this country? † Were men in office, whilst peace was on the tapis, to attend to the interest of individuals, or regard

* The Indians bring their furs to the fair of Montreal, consequently no ideal line can operate to impede that commerce. If we then deal with probity equal to the Americans with the Indians, that trade cannot be much injured by the limits agreed on by the Preliminaries.

† Previous to the dissensions with America, the Quebec trade employed about 60 ships, and 1000 seamen. Their exports in furs, capillaire, wheat, &c. amounted to about 100,000l. yearly; their imports to about the same sum.

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these minutiae, peace never would be procured. Is not that boundary the original one which separated Nova Scotia from the rest of America? Why then should it not continue the northern limit of those states?

Although the liberty to fish on the grand bank, and all other banks of Newfoundland, is and will be very advantageous to America; yet her coast being so near, she might have exercised this right, in spite of our endeavours to the contrary*: and had we asserted our sole right to the fishery, we might have drawn on a long and expensive contention; and fatal experience ought to teach us, the great inconvenience of a transatlantic war. It was policy to grant that we could not refuse, and make

* Great Britain and America used to employ in this fishery above 3000 sail of small craft, on board of which, and otherwise, were maintained upwards of 10,000 men. From the cod sold in the North, the Levant, Spain, Portugal, and Italy, it was computed 300,000*l.* a year was remitted into this kingdom.

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a merit of the concession, which was yielded with a good grace. The question to be debated, is not the propriety or impropriety of granting this advantage; but whether it be most for the advantage of this country to allow America this right and possess peace, or molest her intrusion on the trade, and engage soon again in an expensive war? The unprejudiced man will decide in favour of peace; and to the thinking part of mankind, this concession will appear far from being culpable. It engages us in strict amity with our quondam colonies; it binds them by the ties of gratitude to the mother country; and, in return, America anxious to convince us of her friendship, engages to offer no lawful impediment to the recovery of our debts, or the prosecution of our claims to estates, situated on her continent. This is no small equivalent to the concession of fishing on the banks of Newfoundland, and the opening the navigation of the Mississippi free

and unmolested to the subjects of Great Britain, far overbalances every advantage they will possess from that fishery:

But it is urged, Government have not provided sufficient security for the interest of those men who have assisted Great Britain in this struggle. The sixth article of the Provisional Treaty, however, expressly stipulates, " That no future confiscations
 " shall be made, nor any prosecution commenced against any person or persons,
 " for or by reason of the part which he or
 " they may have taken in the present war;
 " and that no person, on that account, shall
 " suffer any future loss or damage, either
 " in his person, liberty, or property; and
 " that those who may be in confinement
 " on such charges, at the time of the ratification of this treaty in America, shall
 " be immediately set at liberty, and the
 " prosecutions, so commenced, be discontinued." If this is not satisfactory, the
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fifth article further stipulates, that " Congress shall earnestly recommend to the several States, that the rights, properties, and estates of all descriptions of men (as well those who have, as those who have not borne arms against the United States) may be restored to them, they refunding to any person who may now be in possession the *bona fide* price (where any has been given) which such persons may have paid on purchasing any of the said lands or properties since the confiscation." Even let us view these articles under the guidance of the most direct prejudice, the jaundiced eye of severe criticism must acknowledge that, far from being inattentive to the interests of the Loyalists, we have obtained no contemptible provision for their safety. It was not in the power of Congress, from the nature of their government, to promise more than earnestly to recommend this measure to the several States; and what more could they

want, who had very few of them any inducements to prefer America to other parts of the world? Are they the zealous and disinterested friends they boast themselves to be? Let them prove themselves so at this moment, and not by endeavouring to procure settlements and property, frustrate the pacific intentions of the belligerent powers,—and I am persuaded that the major part of the Loyalists are perfectly satisfied with the terms we have obtained for them.

If then it appears that the Provisional Articles, far from derogating from the interest of this country, are, considering the circumstances which led to their conclusion, such as necessity renders absolutely beneficial to the country; let us turn our attention to the Preliminaries entered into with the Court of Versailles,

It is not necessary here to repeat the
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part France took in the quarrel with our Colonies. From a nice discernment of her real interest, she long has endeavoured to secure an enlarged commerce in North-America. Soon after the treaty of Aix la Chapelle, we find her using all her policy to complete her wishes ; when pushed by Great Britain, she even suspended the tax of 50 *sous per ton* on foreign freightage, and opened to strangers her ports in America. Baffled, in some degree, by the treaty of Paris, which tore from her Canada, and part of Louisiana from Spain, she viewed with pleasure, and fomented with all her art, our quarrel with the Colonies. She seized the opportunity, and from Congress obtained terms of commerce favourable to her views. Then it was she first listened to the overtures of Great Britain, which will be found conformable to honour and necessity.

During the present war, she kept up
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and had such a superior fleet in the West Indies, that there was every reason to dread the loss of the few remaining possessions we held there. Exclusive of the Dutch settlements, she had wrested out of our hands seven islands, whilst St. Lucia was the only conquest we had made. For the restoration of that island, we regain possession of those we lost. Tobago, one of the most southern islands, and detached from the other Caribbees, was an infant colony, and not of sufficient consequence to have authorized this country to have delayed treating. Ministers wisely relinquished possession of an island of little value but in time of war, and ceded another, which, though perhaps more valuable, cannot be compared with the advantages resulting from the re-possession of islands, the source of numerous riches, which not only afford harbours for our small shipping in that quarter of the globe, but will support our decayed commerce, which will employ a large number

ber of seamen, and be a certain resource for the re-establishment of our marine, should any future dissensions arise amongst the European powers.

The cession of Senegal, and its dependencies, is not of such real consequence, as on a cursory view they may appear; on a more minute consideration, we ought to repine that it was not in our power, by the cession of the river Gambia, to gain possessions in some other part of the globe. Gold and commerce are not the real riches of a country, they only are the symbol—popularity and healthy subjects are the real and substantial riches; every thing that tends to the diminution of the species is detrimental to the interests of mankind—If this is allowed, the loss of our possessions in Africa may be the less lamented; for, after the great rains descend, a fever, the most contagious and most destructive to European constitutions, seizes on the unfortunate inhabitants, and

and furnishes us with a miserable picture to what the avarice of a few will subject their fellow-creatures for the sake of aggrandizing themselves.

It not only thus tends to rob the Mother-country of its inhabitants, but being at such a distance, its defence will ever be inconvenient.—Colonies, far from being beneficial to the country from which they emigrate, are a real disadvantage—they separate the people, and government grows unwieldy. The extent and separation of the Roman dominions was one cause of the ruin of that empire; the same cause was instrumental in severing the seven provinces from Spain; and how far it may have tended to deprive us of America, I shall leave for better judges to determine. It appears to be the interest of every government to keep its subjects together. The compact situation of Francis the First's dominions enabled him for a length of years to defend himself, and be no contemptible
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opponent to the Emperor Charles the Vth, whose dominions, like an immense engine, perplexed the worker by its intricacy, and frequently frustrated his best laid schemes.

But if this method of reasoning should not satisfy those who would sacrifice every consideration for the sake of gain, let them recollect, that although the Gum Trade may receive some injury from this cession, yet the government of Senegambia will still extend to the gum forest; and, I am informed, we may import a sufficient quantity of that article to supply our internal demands. Nor are the forts near the river Senegal in a good condition; that of Arquin especially, if not demolished, is at least of little use.

The 19th article of the Preliminaries with France, is a copy of the 15th article of the last definitive treaty, except the clause respecting Chandernagore; and if it

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should be argued that the permission to dig a ditch round the town, may serve the French as a pretence to conceal their intention of fortifying the place, should the danger of admitting, in the heart of the British dominions in the East Indies, a fortified town, alarm the timorous, let them remember Calcutta and Hughly are too near, and that it will be in the power of the English to stop the French in any stage of their proceedings. Nor are the possessions, which we have relinquished in the East Indies, of such very material consequence. France possessed nearly the same dependencies before; and if we allow her to possess Pondicherry and Karical, it would be folly not to permit her to possess those dependencies.

In making peace, it is the duty of a negociator to avoid the errors of former treaties; and ministers saw that holding lands, contiguous to the French settlements, was
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holding them on a very precarious tenure. They ceded them, and in return the French King and his Britannic Majesty agree not to give any assistance, directly or indirectly, to their allies in India, if within a limited time they do not accede to the peace. This article leaves Hyder Ally unprotected if he does not agree to the proposals of peace, and will give the East India Company then the power to chastize him for his encroachments.

The national pride may be hurt, by relinquishing the clause respecting the demolition of the fortifications of Dunkirk. It has been an hobby-horse that has engaged our attention during three successive treaties. By that of Aix la Chapelle, we permitted it to be fortified towards the land; and although by that of Paris, we soothed our vanity, and insisted on a total demolition of these fortifications, yet has it been an object unworthy such obstinate struggles.

gles. By giving it up, we render no real service to France ; for, during war, she always evaded those articles; and we find *that harbour* teeming, in spite of our efforts, with privateers, that infest the neighbouring seas. Those Articles might be glorious to Great Britain, and mortifying to the Court of Versailles, but great kingdoms ought to be above such low considerations, and leave little minds to indulge their spleen ; whilst a wise government should weigh well its own interest, and never sacrifice a real good for an ideal honour. By giving up those obnoxious restraints, we happily have got rid of a perpetual foundation for low distrust, and future dissention.

But it will be asked, why did we allow the advantages arising to the French from the article respecting Newfoundland ? It is a consequence of the advantages we receive from the other articles. I have already
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urged the lowness of our situation, and the unfortunate events of the war, these considered, it was unavoidable, could we under our circumstances dictate a peace? Were we to relinquish nothing for the advantages accruing to us from peace?—No reasonable person but what will allow the concession to be trifling, when compared with our situation—but what have they even gained by that Article? The right of fishing from Cape St. John to Cape Ray, a length of coast, which though it brings them nearer their own islands, and may be more valuable for carrying on the trade, yet does not far exceed the limits they possessed by former treaties from Cape Bonavista to Port Riche.*

Having thus balanced the different Articles which we have entered into with France, let us consider those which are to be binding with the Court of Madrid.

* The great fisheries lie only to the East and South-East of the island.

I already hear the cession of the Floridas and America urged against me, and the dissatisfied tongue of faction magnifying the loss; but conscious that truth will shine superior to every art, I dare hope these Articles will be found even more beneficial for this country than those we have reviewed—Minorca, which was restored to us by 12th Article of the Definitive Treaty, has, since the year 1763, been a most astonishing expence: situated in the midway between France and Spain, it is ever open to surprise—the advantage resulting from the possession is not great. The inhabitants are not numerous, they are dissatisfied; and though the castle is of amazing strength, yet being commanded by Cape Mola, new fortification on that place (which must be very extensive to preserve possession of the castle, must be built). How far these expences would have answered the purpose of keeping it, I am unequal to say—it will be urged there is a good port, and that there
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are places in the islands very convenient for careening ships, but whilst we possess Gibraltar there is no want of Minorca; a ninety gun ship may be hove down there, and with very little expence, other vast improvements, far superior to what Minorca will admit, can be made at Gibraltar.

These considerations, I presume, induced the British Minister to relinquish claim to this island; but, for the cession, what did he gain?—The ratification of the 17th article of the Treaty of Paris, which permits the cutting logwood in the bay of Honduras—A vast advantage! which strikes an undoubted superiority in favor of Great-Britain. So convinced were the Spaniards of the benefits they received from this trade, that they looked with the utmost jealousy on the endeavours of the English to possess a part of it—For upwards of a century, they struggled like desperates to hinder our admission on that coast—a coast of no value—
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but for the production of that tree—nor was it until after the successful events of last war, when the Court of London had a right to dictate terms to the enemy, that the Court of Madrid granted this right. Then they hindered the English from carrying away logwood from the west coast of Yucatan, which produces the finest wood; and, by this means, still undermined the trade. It is now in the power of Ministry to insist on this coast, as the district where we may be allowed to cut the logwood, and by so doing, we shall, exclusive of gaining a settlement in the very heart of our enemies, open an almost inconceivable source of riches to this country.

It will be asked, of what advantage is the free trade to the Mississippi, when we possess not one acre of land on its banks; and, perhaps, those who are discontented with the Treaty, will make use of this circumstance to inveigh against the cession of the Floridas.

das. I am free to confess that it is to be lamented as a misfortune, that we could not procure some fortified town, on the banks of that river; but had we possession only of a settlement, it could be of no service but in time of peace. During war, the superiority of our enemies in that quarter would render those possessions very precarious; the Floridas are not therefore great concessions. A country almost desert, where commerce, previous to the differences in America, was inferior to most of the Colonies, the exports of both not exceeding 140,000l. annually; a flat land, covered with sand, and so very unhealthy, that when our troops landed to take possession, at the close of the last war, the Spaniards supposed they had been guilty of some crimes; and as a punishment were sent to that climate, surely does not claim any great share of attention—nor is there one port except St. Augustine, and there, ships can only anchor off the town, exposed to every wind,

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the bar being so dangerous that small boats with difficulty pass it.

Exclusive of one of these provinces being already in the hands of the enemy, there is another evident advantage resulting from the surrender of the Floridas: states ever wishing to extend their territories, generally make some encroachments on their neighbours, which fan the latent sparks of jealousy that must exist, from their separate interests, into hostilities. By relinquishing the Floridas, we throw a bone of contention to our enemies, and it requires no extraordinary foresight to perceive that, ere long, quarrels of the most serious nature will exist between the Court of Madrid, and the United Provinces of America.

In return for this relinquishment, which I agree is far from being considerable, we regain possession of the Bahama Islands. It is not my intention to insist upon the power
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those islands will give us over the Galleons of Spain, which pass through the Gulph of Florida. I know the Bahamas offer no port sufficiently considerable, to secure ships of the line, and altho' sloops of no small force may find shelter among them, I am far from urging this as a certain advantage, I offer it only as a doubt. But one benefit arising from the possession of them, is the great check they will continue to be on the French and Spaniards, and now upon the Americans. Their soil, too, is fine, and although they are not well peopled, there are twelve which not only are well situated for commerce, but may be improved exceedingly. In time of war, they will serve as a refuge for privateers, from whence, with impunity, they can molest the enemy; and the inhabitants will receive considerable advantage from the numerous prizes that will be brought into their ports.

If these considerations are allowed to be

candid, let us, for a moment, review our situation at this period—At war with the most powerful kingdoms in Europe, and struggling with our dissatisfied Colonies, without one friend to assist us, or an ally to support our drooping spirits; the Northern nations infatuated, or lost to their real interest, looking with an unaccountable *sang froid* on our distresses; our resources exhausted, our debt rising to an immense and unconquerable amount, our forces decreasing, our navy without men, and a national bankruptcy dreaded from the severe and unfortunate events of the war. In this situation are we, when we make a peace, that secures us the restoration of our West India Islands, and possession of that valuable trade to the Bay of Honduras. For these, we cede only places already in the hands of the enemy, and privileges which they enjoyed by virtue of former treaties. The acknowledgment of the Independence of America arose from necessity; they had,

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by dint of arms, secured it, and would it not have been puerile, by an ill-timed obstinacy, to have rejected the advantages of peace ?

If it is not by any single principle we should judge of mankind, so by no single article should we judge of the Preliminaries. Every thing is comparative, and to decide with clearness we should take a retrospect of past treaties : we shall then find, that, after the glorious and never to be forgotten campaign of 1759, we ceded to France, St. Pierre and Miquelon, allowed them to continue the privilege of fishing at Newfoundland, which they have enjoyed since the treaty of Utrecht ; we restored such islands as we had taken in the West Indies, with Goree, and the different factories on the coast of Coromandel, Orixá, and Malabar ; and for these concessions we only received the barren country of Nova Scotia, and the possession of Canada, (an unfor-

unfortunate possession for this country). It is true we obtained Grenada and Minorca, and France ceded that grave of Europeans the dependencies of the river Senegal. I purposely omit mention of the Floridas, they having never been yet of any considerable advantage to the Mother Country.

If then we see the Preliminaries for the present Peace, concluded at the close of an unfortunate war, vie with, and rival the terms obtained after the most successful and glorious campaigns; can we hesitate to decide on their merits? As then they are equal to those on which the Treaty of Paris was grounded, they must have been the best that possibly could be procured; and, on a comparative view, will be found no less beneficial to this country than honorable to the Ministers under whose directions they were concluded.

Every inferior interest should submit to the public good; and the love of our country

try should impel us to forget party rage, and give that merit to Ministry which they purchased with their unparalleled exertions and industry. Anxious for the interest of the people, which will ever be found the basis of the actions of a true Patriot, the present Ministers procured, at a most distressing period, an advantageous and honorable peace.

From their exertions, we cannot fail seeing Great Britain recover her faded glories, her Commerce restored to its once flourishing state, and our armies rise once more to the envy and admiration of surrounding nations!

Happy nation!—your interest committed to the care of men whose abilities are devoted to the service of true Patriotism—You shall still hold your superiority, governed by the illustrious House of Hanover, with that moderation and equity, which distinguishes your Laws of Justice.

T H E E N D.

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to show the people that
the Government is not
only a body of men
but a body of principles
and that the people
of the United States
are not only a body
of men but a body
of principles.

From their position
the Government
is not only a body
of men but a body
of principles and
that the people
of the United States
are not only a body
of men but a body
of principles.

Happy are the people
to the end of the world
who are not only a body
of men but a body
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of the United States
are not only a body
of men but a body
of principles.

T. H. A.